

7 IN THE UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT TACOMA

10 NSC Atlantic Trading GMBH & CIE. KG

11 Plaintiff,

12 v.

13 SIVA BULK SHIPPING DMCC

14 Defendant,

15 and

16 MASTER OF THE M/V PRASLIN, IMO
17 9544750

18 and

19 WILHELMSEN SHIP SERVICE, INC.

20 Garnishees.

IN ADMIRALTY

CASE NO.: 3:19-cv-05596-RBL

ORDER FOR ISSUE OF PROCESS
OF MARITIME ATTACHMENT
AND GARNISHMENT

21 Upon consideration of the Verified Complaint filed by Plaintiff and the Court having
22 found that the conditions required by Supplemental Rule for Certain Admiralty and Maritime
23 Claims B exist, NOW, upon Plaintiff's motion, it is hereby,

24 ORDERED, that the Clerk of this Court is authorized to issue pursuant to Supplemental
25 Rule B, as detailed in the Verified Complaint, Process of Maritime Attachment and
26 Garnishment for all assets, cash, funds, credits, wire transfers, accounts, letters of credit,

1 electronic fund transfers, freights, sub-freights, charter hire, sub-charter hire, or any other
2 tangible and/or intangible assets belonging to, due, claimed by, being held for or on behalf of,
3 or being transferred for the benefit of Siva Bulk Shipping DMCC as defined in the Verified
4 Complaint, including, but not limited to any such assets as may be in the possession, custody
5 or control of, or being transferred through any garnishee within this District, and said Order
6 being equally applicable with respect to the issuance and service of additional writs of
7 maritime attachment and garnishment upon any garnissees in this District not named herein,
8 pursuant to Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims of
9 the Federal Rules of Civil Procedure; and it is further,

10 **ORDERED**, that any person claiming an interest in the property attached or garnished
11 pursuant to said Order shall, upon application to the Court, be entitled to a prompt hearing at
12 which the Plaintiff shall be required to show why the garnishment or attachment should not be
13 vacated or other relief granted; and it is further,

14 **ORDERED**, that supplemental or further writs of maritime attachment and garnishment
15 may be issued by the Clerk upon application without further Order of the Court; and it is
16 further,

17 **ORDERED**, that following initial service of a writ of maritime attachment and
18 garnishment on any Garnishee, supplemental service of maritime attachment and garnishment
19 writs on that Garnishee and related papers may be made by way of facsimile transmission or
20 email to each such Garnishee and, it is further,

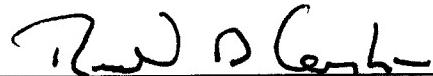
21 **ORDERED**, that service on any Garnishee as described above is deemed continuous
22 throughout the day from the time of such service through the opening of the Garnishee's
23 business the next business day; and, it is further,

1 ORDERED, that pursuant to Federal Rule of Civil Procedure 5(b)(2)(D), each
2 Garnishee may consent, in writing, to accept service by any other means; and it is further,

3 ORDERED, that a copy of this Order be served with each said writ of maritime
4 attachment and garnishment; and, it is further,

5 ORDERED that to afford an opportunity for an expeditious hearing of any objections
6 which might be raised by Siva Bulk Shipping DMCC, or any Garnishee, a hearing may be set
7 by calling the case manager of the undersigned.

8
9 Dated this 1st day of July, 2019.
10

11 
12

13 UNITED STATES DISTRICT JUDGE

14 Presented by:

15 HOLMES WEDDLE & BARCOTT, PC
16
17

18 /s/ John E. Casperson
19 Attorneys for Plaintiff
John E. Casperson, WSBA No. 14292
999 Third Avenue, Suite 2600
Seattle, WA 98104-4011
Fax: 206-340-0289
Email: jcasperson@hwb-law.com
20
21
22
23
24
25
26